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TAGS: PREL PGOV ASEC UNSC IV
SUBJECT: ELEVENTH MEETING OF THE INTERNATIONAL WORKING GROUP

REF: ABIDJAN 1317

Classified By: POL/ECON Jim Wojtasiewicz, reasons 1.4 (B) and (D).

¶1. (C) Summary. At the eleventh meeting of the International Working Group (IWG), Prime Minister Banny sought to persuade the group that significant progress has been made to implement UN Security Council Resolution 1721, especially on re-launching identification, returning civil servants to the North, and beginning to discuss military reform. He asked for clarification on the intent of the Resolution with respect to his control over the military and his decree powers. Banny also appealed to international donors to provide more financial assistance for the peace process. The new Congolese lead in-country mediator for the AU has brought new energy to the Mediation Group, a sub-group of the IWG that works on a daily basis between the IWG's monthly meetings. The commanders of ONUCI (the UN Operation in Cote d'Ivoire) and the French Licorne peacekeeping force remain extremely concerned about the security situation in the country. The final communique from this meeting sidesteps directly answering the question of how broad the Prime Minister's control over the military and his decree powers should be. It is more direct in criticizing President Gbagbo's reinstatement of three of his cronies who were implicated in the toxic waste disaster, and his seizing control of state-owned media. For the first time the IWG communique suggests tight deadlines for the implementation of key steps in the peace process. It strongly protests the blocking of access to the Prime Minister's office for ONUCI bodyguards protecting him and opposition ministers.

¶2. (C) IWG members clearly were trying through the communique to put as much IWG weight as possible behind the Prime Minister in his confrontation with the President. However, it does not appear that President Gbagbo found the communique particularly threatening. He did immediately issue his own communique condemning the IWG, but there were no street protests and there has been little further outcry from the Gbagbo camp. Perhaps they are getting used to IWG rhetoric that in the end has little real impact on the situation. The next IWG will be January 12. End Summary.

¶3. (U) The IWG held its eleventh meeting on December 1, 2006 in Abidjan, co-chaired as usual by Congolese Foreign Minister Rodolphe Adada and UN Special Representative of the Secretary General in Cote d'Ivoire (SRSG) Pierre Schori. In attendance were French Cooperation Minister Brigitte Girardin; Ghana Foreign Minister Nan Addo Dankwa Akufo-Addo; AU Commissioner for Peace and Security Said Djinnit; ECOWAS Executive Secretary Mohamed Ibn Chambas; UN High Representative for

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Elections in Cote d'Ivoire (HRE) Gerard Stoudmann; Special Representative of the AU Chairman Jean Marie Mokoko; and

representatives from Benin, Guinea, Niger, Nigeria, South Africa, the United Kingdom, the United States, the EU, the World Bank, and the International Organization of French Speaking Countries (Francophonie).

¶4. (C) Prime Minister Banny as usual addressed the group and then answered questions. Banny looked shaken by his tense ongoing confrontation with President Gbagbo. He had just flown in from Yamoussoukro, where earlier in the week he told the Ambassador he feels safer than in Abidjan (reftel).

¶5. (C) Banny sought to persuade the group that despite the tense political situation, and despite the fact that President Gbagbo has not yet given his promised proposals for implementing the Resolution in the wake of his "consultations with society" about it, significant progress has been made in the weeks since it was adopted. On identification, the guidelines are now revised, and 200 new tribunals have been authorized for issuing certificates of nationality.

Logistical preparations for the tribunals are now being made: organizing space, procuring furniture etc. Banny said he hoped the list of proposed judges for the new tribunals would be finalized by the end of the following week. He said he hoped there would be little if any controversy over the list this time, because he will send it to the President through the Supreme Chamber of Judges, not through the Justice Minister, and he will not include any of the judges whose appointment Gbagbo has declared illegal. He was optimistic that the mobile courts (audiences foraines) could be re-launched the following week immediately after the list of judges was finalized.

¶6. (C) Banny said he had finished plans for a working group on identification/voter registration with all interested Ivoirian parties and the UN High Representative for Elections, as called for in para. 17 of UNSCR 1721, and he

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expected these plans to be approved at a Cabinet meeting he would chair that same afternoon. Banny also said he would announce the name of the company selected to be the technical operator for the identification/voter registration process on the Friday of the following week. (Note: The technical operator is supposed to create and manage the database of names for identification and voter registration.)

¶7. (C) Banny said he had also completed plans for a working group on restructuring the military, with all interested Ivoirian parties, ONUCI and the French Licorne peacekeeping force, as called for in para. 15 of UNSCR 1721. He expected this working group, which he himself would chair, also to be approved by the Cabinet later that afternoon.

¶8. (C) The Prime Minister then reviewed progress on the return of civilian administration to the North. He said this was proceeding quickly, with all mayors already back, and prefects and sub-prefects also returning. He had sent the Minister of Local Government to the North, on a successful mission to assure the rebel New Forces (FN) that the returning prefects would not challenge the authority of the FN military district commanders.

¶9. (C) The Prime Minister then made a strong appeal for more international financial assistance, to pay for disarmament, the return of civilian administration to the North, identification, and elections. He estimated that the total cost for all four operations would be CFA 125 billion (about USD 250 million). The government has CFA 65 billion (about USD 128 million) available, from budgetary resources and foreign assistance already received, which leaves a funding gap of CFA 61 billion (about USD 122 million). Banny urged that a donors' conference be held as soon as possible. He also acknowledged that Cote d'Ivoire's arrears to the World Bank are a serious obstacle to receiving assistance from the international financial institutions, but he said he was confident he could cut this "Gordian knot" using his years of

experience as a central banker.

¶10. (C) Banny then asked the group to help clarify the wording of UNSCR 1721 in two places: concerning his control over the military, and his decree powers. He pointed to the wording of para. 9 of the Resolution, which calls for him to have "the necessary authority" over the Defense and Security Forces." He asked for clarification of what this means, and also asked what he should do if the military refuse to obey his orders. Second, he pointed to the wording of para. 8 of the Resolution, which calls for him to be "empowered to take all necessary decisions, in all matters, within the Council of Ministers or the Council of Government, by ordinances or decree-laws." He asked what authority bestowed upon him the power to issue decrees, a power which the constitution reserves for the President, and more particularly, what empowered him to sign decrees within the Council of Ministers, which is chaired by the President (whereas the Prime Minister chairs the Council of Government).

¶11. (C) Much of the question and answer session focused on Banny's two questions about how to interpret UNSCR 1721. Many members, led by France, Ghana and Congo, urged Banny to assert complete control over the military, including the power to hire and fire, and to assert full power to sign decrees either in the Council of Government or in the Council of Ministers, as he saw fit. If anyone disobeyed his orders, he should fire them. South Africa, on the other hand, insisted that para. 9 calls only for Banny to have sufficient control over the security forces to implement his tasks under the Resolution, and that the intent of para. 9 is for Banny to have control over all security forces in Cote d'Ivoire, including the rebel FN. South Africa also interpreted the para. 8's wording on decree powers to leave all power to sign decrees in the hands of the President. Members also asked how Banny saw the way forward on state-owned media, now that the President has taken over both state-owned TV and the state-owned newspaper, and on the toxic waste disaster, now that Gbagbo has reinstated his three cronies. France asked explicitly whether Banny thought the Security Council should cancel President Gbagbo's decrees. In both cases Banny said these were issues that were still pending. On the state-owned media, he said this was a matter that he needed to thrash out with the President, and on the toxic waste disaster, he said justice would continue to take its course, implying that the three Gbagbo cronies could still face prosecution.

¶12. (C) After the Prime Minister departed, Congolese General Mokoko, newly installed as the AU's in-country mediator replacing South African Samuel Silumko Sokupa, briefed on the

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work of the Mediation Group over the last month. (Note: The Mediation Group, a sub-group of the IWG, is led by the AU mediator and also includes the SRSG, the local ECOWAS representative, the local Francophonie representative and, now, the HRE. It works on a daily basis in between the monthly meetings of the IWG, to advance the implementation previously of UNSCR 1633 and now of UNSCR 1721.) It was clear from Mokoko's briefing that the Mediation Group will be much more dynamic under his leadership than it was in the past. For example, one of his first actions was to invite HRE Stoudmann to join the group. In addition, within his first few weeks in the job, the Group met with the President, the Prime Minister, rebel leader Guillaume Soro, the chairman of the electoral commission, and the chairman of the disarmament commission. (Note: the meeting with the President was arranged with great difficulty. Gbagbo is no longer willing to meet individually with SRSG Schori or HRE Stoudmann.) They also traveled to the North to personally inspect two of the pre-regroupment sites where rebel FN soldiers are to begin the disarmament process. Mokoko said he found one of the two sites completely uninhabitable.

¶13. (C) Later, General Fernand Amoussou, ONUCI Force

Commander, and General Antoine Lecerf, Commander of the French Licorne peacekeeping force, gave another very bleak assessment of the security situation. Amoussou called the situation dangerous, unstable and deteriorating. He said there were increasing signs of divisions within the military, and of resentment within the military over the preferential treatment being given to the militias over them. Lecerf said there is increasing risk of social explosion, both in the North and in the South. Those who created the militias no longer control them. There are two many weapons and too much money in circulation. The situation in the West is especially critical.

¶14. (C) General Amoussou also informed the group that after Prime Minister Banny had left the IWG, the President's Republican Guard prevented the vehicles carrying his ONUCI bodyguards from accompanying Banny past the gate of the compound where both the Presidential palace and the Prime Minister's office are located. The same thing happened to two opposition ministers as they arrived for the Cabinet meeting being held in the Prime Minister's office. Eventually the IWG received word that from now on, no ONUCI vehicles will be allowed past the gates of the compound. SRSG Schori called this incident outrageous and unacceptable, and he called for the meeting's communique to strongly condemn it. Many IWG members echoed his reaction.

¶15. (C) The discussion of the communique was long and contentious, especially over how to address key issues such as the prime minister's control over the military, his decree powers, the toxic waste/reinstatement issue, and the RTI/Fraternite Matin issue. In the end, the communique sidesteps directly answering the Prime Minister's two questions about how to interpret UNSCR 1721 on his control of the military and his decree powers. South Africa's creative reading of para. 9 of UNSCR 1721 as calling for the Prime Minister to control both government and rebel security forces did make it into the communique. It explicitly mentions President Gbagbo's reinstatement of his cronies, noting the "deep dissatisfaction" this caused within the population. The communique also "deplores" the dismissal of the directors of RTI and Fraternite Matin, noting that these are both violations of the Pretoria Agreement, and calls the reinstatement of the dismissed officials "indispensable." For the first time, the IWG communique suggests tight deadlines for the completion of several key, near-term steps in the peace process. Finally, the communique condemns the Republican Guard's refusal to allow the Prime Minister's ONUCI bodyguards to accompany him to his office, and it warns that "those responsible" will be reported to the UN Security Council's Sanctions Committee. On this point, the French fought bitterly for the head of the Republican Guard to be blamed by name for this incident, and were extremely disappointed and angry when they did not prevail.

¶16. (U) The next IWG will be January 12.

¶17. (C) Comment. It seemed to us that the Prime Minister's questions about how to interpret UNSCR 1721 were rhetorical, meant to draw attention to responsibilities the Resolution places upon him that may be desirable in theory but in practice are impossible for him to carry out. It also appeared to us that Banny was asking the IWG for some latitude to try to work out the RTI and reinstatement issues directly with the President. However, other IWG members clearly did not see it that way, seeking through the

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communique to put as much IWG weight as possible behind the Prime Minister in his confrontation with the president. Judging by Gbagbo's reaction, he seems not to have found the communique too threatening. He did immediately issue a communique of his own condemning the IWG and this latest communique, especially para. 3 which mentions the toxic waste disaster and Gbagbo's reinstatement of his cronies, but there were no street protests and little further public outcry from

the Gbagbo camp. Perhaps they are getting used to IWG rhetoric that in the end has little real impact on the situation. End Comment.

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